

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:

**JIMMIE LYNN NOBLES
SS# XXX-XX-7920**

§
§
§ **CHAPTER 13**
§
§ **DEBTOR(S) § CASE NO. BK 09-50267-NPO13**

ORDER CONDITIONALLY DENYING MOTION FOR RELIEF FROM STAY

This matter coming before the Court on August 3, 2009 on the Motion for Relief From Stay filed on behalf of Vanderbilt Mortgage and Finance, Inc. (hereinafter 'Movant'), and based on the (DKT # 24) pleadings previously filed in this matter and the consent of the parties, it is hereby ORDERED, ADJUDGED and DECREED that:

1. Vanderbilt Mortgage and Finance, Inc. will file a secured proof of claim for post-petition arrears to include the April 2009 through August 2009 payments. Said arrearage claim will be filed for a total present value of \$1, 697.20 and be paid out over the life of the plan. Trustee is authorized by the court to adjust Debtor's plan payment accordingly.

2. Movant's Motion for Relief from Stay is CONDITIONALLY DENIED; however the Automatic Stay imposed by 11 U.S.C § 362 shall terminate in favor of Movant without further Order of this court if Debtor(s) fails to make any future direct payment to Movant when it first becomes due and fails to bring their account completely current after ten (10) days notice of default to Debtor(s) and Debtor(s)'s counsel beginning with the payment due in the month of September 2009.



Neil P. Olack
United States Bankruptcy Judge
Dated: September 25, 2009

This Order Prepared By:

Emily K. McCarson (MS Bar #102488)
ROSEN ♦ HARWOOD, P.A.
2200 Jack Warner Parkway
Post Office Box 2727
Tuscaloosa, Alabama 35403
(205) 344-5000

This Order consented to by:

/s/Emily K. McCarson
Emily K. McCarson
Attorney for Vanderbilt Mortgage and Finance, Inc.
ROSEN ♦ HARWOOD, P.A.
2200 Jack Warner Parkway
Post Office Box 2727
Tuscaloosa, Alabama 35403
(205) 344-5000

/s/ John H. Anderson
John H. Anderson
Attorney for Debtor
713 Arledge Street
Hattiesburg, MS 39401
(601) 544-6077

/s/ J.C. Bell
J.C. Bell
Trustee
P.O. Box 871
Hattiesburg, MS 39403
(601) 582-5011